

Dec 05, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOSEPH M.,

No. 1:19-CV-3111-JTR

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,¹

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

Defendant.

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 20. Attorney Cory J. Brandt represents Plaintiff; Special Assistant United States Attorney Kathryn A. Miller represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 6. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 20**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

¹Andrew M. Saul is now the Commissioner of the Social Security Administration. Accordingly, the Court substitutes Andrew M. Saul as the Defendant and directs the Clerk to update the docket sheet. *See* FED. R. CIV. P. 25(d).

1 On remand, the administrative law judge (ALJ) will hold a *de novo* hearing
2 and issue a new decision. The ALJ shall: (1) reevaluate the medical opinions and
3 third party statement(s); (2) reassess Plaintiff's residual functional capacity; and
4 (3) if warranted, obtain additional vocational evidence. Plaintiff may present
5 additional testimony and submit additional evidence.

6 2. **Judgment shall be entered for PLAINTIFF.**

7 3. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is
8 **STRICKEN AS MOOT.**

9 4. An application for attorney fees and costs may be filed by separate
10 motion.

11 The District Court Executive is directed to enter this Order, forward copies
12 to counsel, and **CLOSE THE FILE.**

13 DATED December 5, 2019.



A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE